

THE ZUPPA FIRM PLLC

**1205 Franklin Avenue
Suite 350
Garden City, NY 11530
Phone: (516) 280-9833
Fax: (516) 280-9834
rayzuppa@thezuppafirm.com**

June 29, 2020

Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
Room 2103
New York, NY 10007

MEMO ENDORSED

Re: **U.S. v. Ilya Kogan 16 Cr. 221 (KPF)**

Motion to Seal

Dear Judge Failla:

The undersigned Raymond Joseph Zuppa represents Ilya Kogan in this matter.

On June 10, 2020 at approximately 12:46 a.m. I filed a Notice of Motion for Compassionate Relief with Exhibits. To my horror I had accidentally uploaded the raw exhibits that had not been redacted. (Document 251) In addition the original memorandum of law in support of the motion only uploaded the first page to ECF. (Document 252)

This is an important motion dealing with the Covid-19 crisis so I filed the Notice of Motion again but this time with the exhibits redacted (Document 253) I also refiled the entire memorandum of law in support (Document 254) Upon the second try at filing the Notice of Motion Exhibit 4 ended up being some 56 megabytes and would not upload. I fought hard to reduce the document size but I could not. I attempted to split the document up into some 10 parts but all my adobe software would do was to split it up into 29 parts which out of an abundance of caution I have successfully filed. Exhibit 4 Part 1 and so on to Part 29.

I have also sent a courtesy hard copy of the motion, exhibits and memorandum of law to the Court which is easy to read.

I contacted ECF the next day and requested that both documents – especially Document 251 with the un-redacted Exhibits be removed. I was informed by ECF that once filed a document cannot be removed.

A nice gentleman from ECF temporarily sealed document 251 (un-redacted exhibits). (I am not sure as to Document 252 and do not care because it contains no sensitive information) The gentleman informed me that I need a formal Order of the Court to permanently seal a document.

I hereby request that the Court permanently seal document 251 as it contains the un-redacted medical records of Mr. Kogan and other medical records that were mistakenly filed without the redactions.

With Much Respect,

 RZ
Raymond J. Zuppa

Application GRANTED. The Court ORDERS that docket entry 251 be sealed, viewable to the Court and parties only.

Dated: June 30, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE